EXHIBIT "4"

THE NATIONAL LAW JOURNAL

IN FOCUS

MONDAY, DECEMBER 8, 2008

BILLING

Law firm fees defy gravity

As the recession gathered, legal fees grew, and one firm broke the \$1,200 per hour barrier.

By Leigh Jones

DESPITE THE RANCID economy of 2008, attorney billing rates continued their escalation trend, with nearly 71% of law firms reporting an increase in the amount that they charged clients compared with 2007. This figure represents law firms that increased their average and

median billing rates firm-

The numbers

Nationwide sampler. S2

Associate class rates. \$5

Alternative methods. S6

Also this year, partner billing rates broke record highs, with one firm exceeding the \$1,200 mark and another rising above \$1,100 per hour.

This year's results of The National Law Journal's annual billing survey indicate that, although law firms upped their rates at a slower pace compared with last year's increases, they still exacted a higher price for

their labors from clients, even amid an unraveling economy.

The survey was based on information provided by 127 law firms that responded to billing questions submitted as part of the NLJ 250, The National Law Journal's annual survey of the nation's largest law firms. Of

those 127 law firms, 109 provided billing information both this year and last, from which year-overyear comparisons were derived. The survey period ran from Oct. 1, 2007, to Sept. 30, 2008.

The average of this year's average firmwide billing rates, which include partner and associate rates, climbed by 4.3%,

The level of increase for average firmwide billing rates was lower than the increase last year of 7.7%, compared with 2006. At the same time, although 70.6% of firms increased their average and median billing rates this year, 75.2% increased those rates last year, compared with 2006.

The continued uptick in legal expenses means that law firms should expect clients, especially in a worsening economy, to hire more attorneys in-house and to rely more heavily on "flexible staffing," said Pamela Woldow, general counsel and principal of Weil Altman

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firm consultancy. In addition, clients, such as pharmaceutical companies, that in the past did not demand alternative or varied fees will be "negotiating harder" for better deals on legal services, Woldow said.

The average of the average firmwide billing rate for 2008 was \$363 per hour, compared with \$348 in 2007. The average of the median firmwide rate this year was \$350 per hour, compared with \$347 per hour last year.

\$1,260 per hour

The most expensive hourly rate came from White & Case, which reported that the high end of its partner rate was \$1,260 per hour. The firm's average partner billing rate was \$747 per hour. With 2,205 attorneys. White & Case is ranked No. 6 on the NLJ 250.

In a written statement, White & Case said that the high end of its billing rates was "representative of only two potential billing scenarios for clients" and "[did] not take into account a number of key factors, including blended rates and rates negotiated with specific clients."

Coming in second was Dorsey &

more this year than last year. The

the median partner rate was \$435

80.7% of the law firms responding to the billing survey both in

Regarding associate rates,

average of the average part-

ner rate this year was \$451

per hour, while the average of

Smith, at \$900. Alternative and variant billing systems were popular among many law firms. Of

The average of the average associate rate for these firms was \$282 per hour. The average of the median associate rate was \$274. Other high fliers Two law firms besides Dorsey & Whitney and White

2007 and 2008 raised the high end of associate rates.

& Case reported partners who charged four-figure rates. They were Pittsburgh-based Buchanan Ingersoll & Rooney, at \$1,020, and Chicago-based Jenner & Block, at \$1,000. Several law firms came close to the \$1,000 mark on

the high end of the partner rate range. They were New York-based McKee Nelson, at \$995; Washington-based Patten Boggs, at \$990; Cooley Godward Kronish of Palo Aito, Calif., at \$980; Locke Lord Bissell & Liddell, at \$975; Chicago-based Winston & Strawn, at \$975; Venable of Washington, at \$950; Loeb & Loeb, at \$925; Washington-based Hogan & Hartson, at \$900; and Reed



rates, while "alternatives" include fixed or flat fees. Many law firms de-rived most of their revenue via variations. They included Husch Blackwell Sanders, at 98%; Ogletree, Deakins, Nash, Smoak & Stewart, at 92%; and Akerman Sen-

the 127 firms that

ported

responded to

billing ques-tions, 66 re-

they received at

revenue from alter-

natives and varia-

tions, "Variations" to

terfitt, at 90%. Law firms relied on alternatives for a smaller portion of revenue. compared with variations. Firms with high percentages of revenue derived from alternative billing included Denver-based Holland Hart, which reported 33%. and McKenna Long 8 Aldridge,

A nationwide sampling of law firm billing rates

The National Law Journal asked the respondents to its 2008 survey of the nation's 250 largest law firms to provide a range of hourly billing rates for partners and associates. Firms that supplied this information-including some firms that are not in the NLJ 250-are listed below in alphabetical order. We also asked firms to provide average and median billing rates, and several complied. The number after a firm's name indicates the total number of attorneys at the firm. The city listed below the name of a firm is the location of its principal or largest

ABC

Adams and Reese (253)

(New Orleans) Partners \$240-\$425 (average \$318) (median \$310)

Associates \$175-\$300 (average \$209) (median \$205)

Firmwide (average \$257) (median \$265)

årent Fox (336) (Washington) Partners \$410-\$710 Associates \$260-\$465

Armstrong Teasdale (252)

(St. Louis) Partners \$295-\$450 Associates \$175-\$300

Baker, Donelson, Bearman, Caldwell & Berkowitz

(549) (Memphis, Tenn.) Partners \$230-\$525 (average \$339)

(median \$330) Associates \$120-\$330 (average \$218) (median \$220)

Firmwide (average \$295) (median \$290)

Balch & Bingham (244)

(Birmingham, Ala.) Partners \$295-\$600 Associates \$200-\$280

Bass, Berry & Sims (211) (Nashville, Tenn.) Partners \$240-\$575 (average \$408) (median \$408)

Associates \$180-\$310 (average \$245) (median \$245)

Firmwide (average \$378) (median \$378)

Best Best & Krieger (198)

(Riverside, Calif.) Partners \$300-\$550 (average \$410) (median \$420)

Associates \$175-\$365 (average \$245) (median \$240)

Firmwide (average \$307) (median \$300)

Blank Rome (503) (Philadelphia) Partners \$425-\$785 (average \$525) Associates \$245-\$485 (average \$332) Firmwide (average \$400)

Bond, Schoeneck & King (189)

(Syracuse, N.Y.) Partners \$210-\$450 (average \$308) (median \$310) Associates \$150-\$250 (average \$187)

(median \$185) Firmwide (average \$268) (median \$275)

Bradley Arant Rose & White (255)

(Birmingham, Ala.) Partners \$260-\$550 Associates \$170-\$310

Briggs and Morgan (175) (Minneapolis) Partners \$300-\$580 (average \$420)

(median \$425) Associates \$195-\$290 (average \$229)

Firmwide (average \$368) (median \$390)

(Chicago) Partners \$320-\$700 (average \$499) (median \$500)

Associates \$180-\$435 (average \$281) (median \$275)

Firmwide (average \$392) (median \$390)

Broad and Cassel (179)

(Orlando, Fla.) Partners \$290-\$475 (average \$378) (median \$375)

Associates \$175-\$320 (average \$245) (median \$248)

Firmwide (average \$314) (median \$310)

Brownstein Hyatt Farber Schreck (235)

(Denver) Partners \$275-\$750 (average \$424) (median \$400) Associates \$160-\$285 (average \$234)

(median \$240) Firmwide (average \$340) (median \$325)

Bryan Cave (852)

(St. Louis) Partners \$340-\$750 (average \$525) (median \$510)

Associates \$170-\$510 (average \$314) (median \$310) Firmwide (average \$424) (median \$405)

Buchalter Nemer (146)

(Los Angeles) Partners \$260-\$600 (average \$448) (median \$450)

Associates \$225-\$450 (average \$283) (median \$275) Firmwide (average \$384) (median \$375)

Buchanan Ingersoll & Rooney (529)

Partners \$300-\$1,020 Associates \$100-\$520

Bullivant Houser Bailey (153)

(Portland, Ore.) Partners \$275-\$525 Associates \$190-\$325

Burr & Forman (208)

(Birmingham, Ala.) Partners \$210-\$495 (average \$352) (median \$350) Associates \$165-\$305 (average \$235)

(median \$230) Firmwide (average \$271) (median \$295)

Butzel Long (243) (Detroit) Partners \$300-\$650

Associates \$180-\$290

Cariton Fields (281) (Tampa, Fla.) Partners \$305-\$650 (average \$435) (median \$435)

Associates \$195-\$335 (average \$267)

Firmwide (average \$334) (median \$325)

Cooley Godward Kronish (618)

(Palo Alto, Calif.) Partners \$525-\$980 Associates \$285-\$570

Cozen O'Connor (478) (Philadelphia)

Partners \$240-\$840 (average \$457) (median \$455) Associates \$205-\$650 (average \$342)

(median \$325) Firmwide (average \$397) (median \$385)

Curtis, Mallet-Prevost, Colt & Mosle (235)

(New York) Partners \$675-\$785 (average \$730) (median \$730)

Associates \$290-\$575 (average \$434) Firmwide (average \$520) (median \$515)

DEF

Davis Wright Tremaine (467)

(Seattle) Partners \$300-\$710 (average \$455) (median \$450)

Associates \$190-\$405 (average \$280) (median \$280)

Firmwide (average \$395) (median \$395)

Day Pitney (405)

(Florham Park, N.J.) Parmers \$295-\$710 Associates \$220-\$450

Dickinson Wright (228)

(Detroit) Partners \$275-\$550 Associates \$180-\$300

Dickstein Shapiro (403)

(Washington) Partners \$475-\$895 (average \$607) (median \$605)

Associates \$250-\$475 (average \$378) (median \$395)

Firmwide (average \$493) (median \$485)

Dinsmore & Shohi (347)

(Cincinnati) Partners \$220-\$495 (average \$347) (median \$338)

Associates \$160-\$305 (average \$202) (median \$198)

Firmwide (average \$284) (median \$275)

Dorsey & Whitney (670) (Minneapolis) Partners \$235-\$1,180 (average \$505) (median \$510)

Associates \$170-\$820 (average \$301) (median \$335)

Firmwide (average \$407) (median \$430)

Duane Morris (594) (Philadelphia) Partners \$340-\$755 (average \$490) (median \$505)

Associates \$230-\$510 (average \$326) (median \$350)

Firmwide (average \$449) (median \$450)

Dykema Gossett (374)

(Detroit)

Partners \$265-\$650 (average \$415) Associates \$170-\$435 (average \$277)

Edwards Angell Palmer & Dodge (576)

(Boston) Partners \$325-\$755 Associates \$170-\$480 Firmwide (median \$450)

Epstein Becker & Green (372)

(New York) Partners \$350-\$850 (average \$501)

(median \$495) Associates \$175-\$450 (average \$312) (median \$300)

Firmwide (average \$406) (median \$400)

Fisher & Phillips (208)

(Atlanta) Partners \$330-\$505 Associates \$195-\$380

Foley & Lardner (1,032) (Milwaukee)

Partners (average \$596) (median \$585) Associates (average \$405) (median \$395)

Firmwide \$185-\$985 (average \$508) (median \$520)

Ford & Harrison (179)

(Atlanta) Partners \$325-\$585 Associates \$245-\$505

(Tampa, Fla.) Partners \$175-\$525 (average \$360) (median \$350)

Associates \$160-\$325 (average \$222)

Firmwide (average \$314) (median \$325) (*Total prior to subsequent firm split.)

Fox Rothschild (440)

(Philadelphia) Partners \$250-\$590 (average \$443) (median \$450) Associates \$215-\$395 (average \$275) (median \$260)

Firmwide (average \$378) (median \$375)

Fredrikson & Byron (233)

(Minneapolis) Partners \$250-\$590 (average \$402) (median \$395) Associates \$150-\$315 (average \$237)

(median \$225) Firmwide (average \$340) (median \$340)

Frost Brown Todd (342) (Cincinnati) Partners \$225-\$490 (average \$317) (median \$310) Associates \$145-\$260 (average \$188) (median \$180)

Firmwide (average \$272) (median \$270)

GHI

Gardere Wynne Sewell (281)

(Dallas)

Partners \$380-\$750 (average \$502) (median \$500)

Associates \$210-\$450 (average \$306) (median \$300) Firmwide (average \$374) (median \$390)

Gibbons (230) (Newark, N.J.) Partners \$375-\$700

Associates \$220-\$415

GrayRobinson (213) (Orlando, Fla.) Partners \$200-\$650 (average \$310) (median \$285) Associates \$125-\$275 (average \$164)

(median (\$167) Firmwide (average \$239) (median \$252)

Greenberg Traurig (1,840) (New York) Partners \$335-\$850 (average \$520)

(median \$535) Associates \$175-\$525 (average \$323) (median \$325) Firmwide (average \$426) (median \$425)

Harris Beach (179) (Rochester, N.Y.) Partners \$250-\$475

Associates \$140-\$275

Hiscock & Barclay (187) (Syracuse, N.Y.) Partners \$190-\$650 (average \$361)

(median \$359) Associates \$145-\$430 (average \$235)

(median \$224) Firmwide (average \$319) (median \$322) Hodgson Russ (227) (Buffalo, N.Y.)

Partners \$240-\$665 (average \$355) (median \$350) Associates \$165-\$450 (average \$230)

(median \$235) Firmwide (average \$303) (median \$300)

Hogan & Hartson (1,175)

(Washington)

Partners \$375-\$900 (average \$660) (median \$650)

Associates \$150-\$550 (average \$410) (median \$400)

Firmwide (average \$525) (median \$525)

Holland & Hart (406)

(Denver) Partners \$295-\$615 (average \$414) (median \$405) Associates \$175-\$355 (average \$269)

(median \$275)

Firmwide (average \$350) (median \$345)

Holme Roberts & Owen (228)

(Denver) Partners \$285-\$635 (average \$415) (median \$410) Associates \$160-\$525 (average \$294) (median \$265) Firmwide (average \$355) (median \$345)

Howard Rice Nemerovski Canady Falk & Rabkin (102) (San Francisco)

Partners \$515-\$795 Associates \$275-\$510

Hughes Hubbard & Reed (334) (New York) Partners \$625-\$875 Associates \$270-\$600

Husch Blackwell Sanders (629) (St. Louis) Partners \$205-\$740 (average \$352) (median \$340) Associates \$150-\$380 (average \$218) (median \$215)

Firmwide (average \$302) (median \$300)

IKL

Jackson Kelly (187)

(Charleston, W.Va.) Partners \$200-\$435 (average \$238) (median \$247) Associates \$135-\$335 (average \$155) (median \$151) Firmwide (average \$214) (median \$212)

Jackson Lowis (517) (White Plains, N.Y.) Partners \$250-\$595 Associates \$180-\$405

Jenner & Block (482)

(Chicago) Partners \$525-\$1,000 (average \$616) (median \$575) Associates \$325-\$495 (average \$393) (median \$375)

Jones, Walker, Waechter, Poitevent, Carrère & Denègre (264) (New Orleans)

Partners \$225-\$620 (average \$332) (median \$325) Associates \$140-\$250 (average \$186) (median \$180)

Firmwide (average \$277) (median \$275)

Kilpatrick Stockton (466) (Atlanta)

Partners \$310-\$695 (average \$485) (median \$475) Associates \$225-\$400 (average \$290)

(median \$275) Firmwide (average \$400) (median \$395)

Kolley Drye & Warren (378) (New York) Partners \$430-\$850 Associates \$255-\$520

Knobbe, Martens, Olson & Bear (249)

(Irvine, Calif.) Partners \$375-\$660 (average \$473) (median \$450) Associates \$245-\$430 (average \$287) (median \$275) Firmwide (median \$362)

Lane Powell (170) (Seattle)

Partners \$325-\$550 (average \$405) (median \$400) Associates \$195-\$325 (average \$270) (median \$275) Firmwide (average \$327) (median \$350)

Lathrop & Gage (281)

(Kansas City, Mo.) Partners \$255-\$490 Associates \$180-\$265

Leonard, Street and Deinard (189)

(Minneapolis) Partners \$310-\$530 Associates \$200-\$315

Lewis, Rice & Fingersh (164) (St. Louis) Partners \$225-\$440 Associates \$140-\$305

Lindquist & Vennum (185) (Minneapolis) Partners \$280-\$450 (average \$367) (median \$375)

Associates \$180-\$295 (average \$218) (median \$210)

Firmwide (average \$309) (median \$330)

Locke Lord Bissell & Liddell (707) (Dallas) Partners \$375-\$975 (average \$527) (median \$525)

Associates \$225-\$450 (average \$313) (median \$300)

Firmwide (average \$433) (median \$450)

Loeb & Loeb (310)

(New York) Partners \$450-\$925 (average \$651) (median \$650) Associates \$260-\$500 (average \$422) (median \$425)

Firmwide (average \$534) (median \$500)

Lowenstein Sandier (278)

(Roseland, N.J.) Partners \$400-\$765 Associates \$220-\$405

Luce, Forward, Hamilton & Scripps (187)

(San Diego) Partners \$350-\$650 (average \$483) (median \$483)

Associates \$235-\$460 (average \$293) (median \$280)

Firmwide (average \$397) (median \$400)

MNO

Manatt, Phelps & Phillips (358)

(Los Angeles) Partners \$495-\$850 (average \$626) (median \$620)

Associates \$290-\$505 (average \$407) (median \$410)

Firmwide (average \$533) (median \$550)

Marshall, Dennehey, Warner, Coleman & Goggin (408) (Philadelphia) Partners \$135-\$400

Associates \$120-\$300

McCarter & English (399) (Newark, N.J.) Partners \$325-\$635 (average \$435) (median \$440)

Associates \$215-\$395 (average \$280) (median \$285)

Firmwide (average \$353) (median \$345) SEE 'RATES' PAGE \$4

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Billing rates as reported by the nation's law firms

McElroy, Deutsch, Mulvaney & Carpenter (232) (Morristown, N.J.)

Partners \$295-\$450 (average \$250) (median \$235)

Associates \$135-\$225 (average \$180) (median \$165)

Firmwide (average \$195) (median \$215)

McKee Nelson (202)

(New York) Partners \$665-\$995 Associates \$395-\$630

McKenna Long & Aldridge (435) (Atlanta) Partners \$370-\$750 (average \$454) Associates \$220-\$450 (average \$274)

Michael Best & Friedrich (229)

(Milwaukee) Partners \$235-\$620 (average \$391) (median \$375)

Associates \$190-\$330 (average \$252) (median \$245)

Firmwide (average \$340) (median \$305)

Miller, Canheld, Paddock and Stone (387)

(Detroit)

Partners \$275-\$620 (average \$425) (median \$425)

Associates \$165-\$375 (average \$240) (median \$240)

Firmwide (average \$347) (median \$355)

Miller & Martin (198) (Chattanooga, Tenn.) Partners \$210-\$610 (average \$354) (median \$360)

Associates \$180-\$305 (average \$210) (median \$205)

Firmwide (average \$316) (median \$330)

Firmwide (average \$360)

Montgomery, McCracken, Walker & Rhoads (151)

Partners \$360-\$585 (average \$440) Associates \$195-\$365 (average \$270)

Moore & Van Allen (300) (Charlotte, N.C.) Partners \$280-\$770 (average \$425) (median \$410)

Associates \$180-\$365 (average \$256) (median \$250)

Firmwide (average \$283) (median \$273)

Nexsen Pruet (174) (Columbia, S.C.) Partners \$250-\$450 Associates \$170-\$250

Nixon Peabody (699) (Boston)

Partners \$565-\$845 (average \$570) (median \$590) Associates \$230-\$350 (average \$370)

(median \$365) Firmwide (average \$468) (median \$430)

Ogletree, Deakins, Nash, Smoak & Stewart

(Greenville, S.C.) Partners \$275-\$600 (average \$367) Associates \$185-\$380 (average \$266) Firmwide (average \$325)

PQR

Patton Boggs (529)

(Washington) Partners \$360-\$990 (average \$586) (median \$570) Associates \$244-\$535 (average \$372) (median \$385)

Firmwide (average \$440) (median \$455)

Pepper Hamilton (514)

(Philadelphia) Partners \$385-\$795 Associates \$240-\$395

Perkins Cole (632) (Seattle)

Partners \$260-\$785 (average \$498) Associates \$165-\$515 (average \$329)

Phelps Dunbar (258)

(New Orleans) Partners \$170-\$450 (average \$256) (median \$250)

Associates \$130-\$260 (average \$171) (median \$165)

Firmwide (average \$213) (median \$205)

Phillips Lytle (179) (Buffalo, N.Y.) Partners \$250-\$475 (average \$334) (median \$330)

Associates \$155-\$355 (average \$230) (median \$220)

Firmwide (average \$288) (median \$300)

Polsinelli Shalton Flanigan Suelthaus (304)

(Kansas City, Mo.) Partners \$250-\$600 Associates \$175-\$275

Quarles & Brady (450) (Milwaukee) Partners \$280-\$625 (average \$419) (median \$420)

Associates \$200-\$375 (average \$252) (median \$245)

Firmwide (average \$347) (median \$342)

Reed Smith (1,558*) (Pittsburgh)

Partners \$375-\$900 (average \$626) (median \$585)

Associates \$235-\$580 (average \$423) (median \$390)

Firmwide (average \$441) (median \$425) (*National Association for Law Placement figure. The firm recently reported an attorney count of 1,505.)

Robinson & Cole (215) (Hartford, Conn.) Partners \$320-\$650 (average \$436) (median \$440)

Associates \$210-\$350 (average \$276)

Firmwide (average \$346) (median \$350)

Roetzel & Andress (227) (Akron, Ohio) Partners \$225-\$500 (average \$333) (median \$325)

Associates \$170-\$295 (average \$219) (median \$215)

Firmwide (average \$292) (median \$300)

Rutan & Tucker (140) (Costa Mesa, Calif.) Partners \$315-\$635 Associates \$220-\$370

STU

Saul Ewing (231) (Philadelphia) Partners \$295-\$800 (average \$441) (median \$430)

Associates \$205-\$535 (average \$285) (median \$255)

Firmwide (average \$372) (median \$380)

Schnader Harrison Segal & Lewis (189)

(Philadelphia) Partners \$275-\$625 Associates \$160-\$375

Schulte Roth & Zabel (481) (New York)

Partners \$695-\$895 (average \$770) (median \$755) Associates \$255-\$650 (average \$495) (median \$510)

Firmwide (average \$550) (median \$530)

Sedgwick, Detert, Moran & Arnold (380) (San Francisco)

Partners \$295-\$650 (average \$398) (median \$380) Associates \$185-\$390 (average \$262) (median \$260)

Firmwide (average \$318) (median \$300)

Sheppard, Mullin, Richter & Hampton (458)

(Los Angeles) Partners \$475-\$795 Associates \$275-\$455 (up to \$580 in New York)

Shughart Thomson & Kilroy (179)

(Kansas City, Mo.) Partners \$240-\$500 Associates \$185-\$245

Shumaker, Loop & Kendrick (180)

(Toledo, Ohio) Partners \$225-\$500 (average \$329) (median \$325)

Associates \$185-\$380 (average \$227) (median \$225)

Firmwide (average \$297) (median \$315)

Shutts & Bowen (203) (Miami)

Partners \$190-\$540 Associates \$190-\$240

Sills Cummis & Gross (165)

(Newark, N.J.) Partners \$395-\$725 Associates \$215-\$425

Smith, Gambrell & Russell (181) (Atlanta) Partners \$260-\$595

Associates \$155-\$335

Snell & Wilmer (440) (Phoenix)

Partners \$300-\$725 (average \$444) Associates \$170-\$420 (average \$271) Firmwide (average \$354)

Steptoe & Johnson LLP (506) (Washington) Partners \$350-\$895 (average \$591) (median \$580)

Associates \$210-\$685 (average \$384) (median \$395) Firmwide (average \$477) (median \$470)

Steptoe & Johnson PLLC (182)

(Clarksburg, W.Va.) Partners \$200-\$325 Associates \$170-\$250

Stinson Morrison Hecker (324)

(Kansas City, Mo.) Partners \$275-\$680 (average \$363) (median \$373) Associates \$190-\$290 (average \$224) (median \$228)

Firmwide (average \$293) (median \$275)

Stoel Rives (350) (Portland, Ore.) Partners \$290-\$550 Associates \$170-\$365

Strasburger & Price (194) (Dallas) Partners \$300-\$580

Associates \$185-\$395 Firmwide (average \$334)

Sullivan & Worcester (182) (Boston) Partners \$450-\$775 (average \$603)

(median \$600) Associates \$270-\$490 (average \$343) (median \$330)

Firmwide (average \$485) (median \$495)

Sutherland Asbill & Brennan (429) (Atlanta)

Partners \$395-\$750 (average \$543) (median \$530)

Associates \$240-\$450 (average \$316) (median \$300)

Firmwide (average \$379) (median \$380)

Taft Stettinius & Hollister (337)

(Cincinnati) Partners \$200-\$475 (average \$354) (median \$355)

Associates \$165-\$325 (average \$217) (median \$195) Firmwide (average \$294) (median \$295)

Thompson Coburn (344)

(St. Louis) Partners \$295-\$555 Associates \$170-\$400

Thompson Hine (396)

(Cleveland) Partners \$275-\$740 (average \$425) (median \$420)

Associates \$185-\$510 (average \$240) (median \$235)

Firmwide (average \$330) (median \$325)

Thompson & Knight (458) (Dallas) Partners \$410-\$785 (average \$545) (median \$530)

Associates \$250-\$500 (average \$334) (median \$345)

Firmwide (average \$453) (median \$450)

Ulmer & Berne (176)

(Cleveland) Partners \$230-\$495 (average \$319) Associates \$175-\$310 (average \$205) Firmwide (average \$262)

VW

Vedder Price (265)

(Chicago)

Partners \$310-\$685 (average \$455) (median \$445)

Associates \$235-\$390 (average \$290) (median \$290)

Firmwide (average \$385) (median \$390)

Venable (569) (Washington)

Firmwide (average \$513)

Associates \$215-\$375

Partners \$380-\$950 (average \$530) (median \$525)

Associates \$250-\$425 (average \$329) (median \$320)

Firmwide (average \$440) (median \$440)

White & Case (2,205)

(New York) Partners \$550-\$1,260 (average \$747) Associates \$160-\$920 (average \$456)

Wiggin and Dana (152) (New Haven, Conn.) Partners \$360-\$600

Williams Mullen (326) (Richmond, Va.) Partners \$300-\$625 (average \$401)

(median \$380) Associates \$170-\$355 (average \$260) (median \$255) Firmwide (average \$344) (median \$350)

Winstead (281) (Dallas)

Partners \$365-\$655 (average \$465) Associates \$215-\$385 (average \$282) Firmwide (average \$390)

Winston & Strawn (1,004)

(Chicago) Partners \$400-\$975 (average \$622) Associates \$210-\$625 (average \$376) Firmwide (average \$448)

Womble Carlyle Sandridge & Rice (505)

(Winston-Salem, N.C.) Partners \$285-\$750 (average \$448) (median \$450) Associates \$140-\$370 (average \$275) (median \$275)

Firmwide (average \$248) (median \$200)

Wyatt Tarrant & Combs (198)

(Louisville, Ky.) Partners \$225-\$450 (average \$340) (median \$345) Associates \$180-\$255 (average \$210)

(median \$210) Firmwide (average \$300)

(median \$310)

\$300

\$325

\$305

Firms report their billing rates by associate class

The following is a sampling of hourly rates charged by law firms that establish billing rates based on associate class. The name of each firm is followed by its number of attorneys and the location of its principal or largest office. The firms reported the data as part of The National Law Journal's 2008 survey of the nation's 250 largest law firms.

Bass,	Berry	& Sim	(211)	Nashville,	Tenn.
1st	SI	80			

Brinks	Hofer	Gilson	&	Lione	(171)
Obland					

1st	\$240	5th	\$335
2d	\$260	6th	\$360
3d	\$280	7th	\$385
4th	\$305	Sth	\$405

Bryan	Bryan Cave (852) St. Louis			
1st	\$160-\$285	5th	\$265-\$400	
2d	\$175-\$285	6th	\$280-\$415	
3d	\$200-\$330	7th	\$295-\$440	
4th	\$205-\$360	8th	\$300-\$460	

Butzel Long (243) Detroit \$180

Curtis New Yo	, Mallet-Prevost, ork	Colt &	Mosle (235)
1st	\$290	5th	\$455
20	\$335	6th	\$495

\$535

Davis Wright Tremaine (467)

Seam	6		
1st	\$229	5th	\$307
2d	\$246	6th	\$325
3d	\$264	7th	\$340
4th	\$281	8th	\$354

\$220-\$250 5th \$240-\$270 \$310-\$415 \$255-\$310 7th \$335-\$460 \$280-\$340 8th \$335-\$435

Dickin on Wright (228) Detroit \$210 \$180 1st 5th \$185 6th \$225 \$190 \$245 4th \$200 8th \$265

Dickstein Shapiro (403) Washington

1st	\$250-\$275	5th	\$395-\$435
2d	\$300-\$350	6th	\$395-\$435
3d	\$350-\$395	7th	\$435-\$475
4th	\$350-\$395	8th	\$435-\$475

Dinsmore & Shohl (347) Cincinnati \$215 151 \$170 5th \$180 20 6th \$225 30 \$195 7th \$235 4th \$205

Dorse	y & Whitney (67	(0) Minneau	oolis
1st	\$230	5th	\$330
2d	\$250	6th	\$365
3d	\$275	7th	\$430
4th	\$285		

Fredrikson & Byron (233) Minneapolis 1st \$195 Sth \$265 \$210 20 6th \$280 3d \$225 7th \$300

Cardere Wynne Sewell (281)

Dallas			
1st	\$210	5th	\$325
2d	\$230	6th	\$350
3d	\$260	7th	\$375
4th	\$300		

\$160-\$360 \$145-\$300 \$145-\$300 \$170-\$380 3d \$160-\$360 7th \$170-\$380 4th \$160-\$360 8th \$180-\$430

Hogan & Hartson (1,175) Washington					
1st	\$290	5th	\$420		
2d	\$330	6th	\$450		
3d	\$360	7th	\$480		
4th	\$390	8th	\$510		

Holland	& Hart (406)	Denver	
1st	\$215	4th	\$275
2d	\$235	5th	\$295

\$305

6th

Jackson	Kelly (187)	Charleston,	W.Va.
1st	\$150	5th	\$219
2d	\$170	6th	\$238
3d	\$186	7th	\$257
4th	¢202		

Jenne	r & Block (482) Chicago	
1st	\$325	5th	\$445
2d	\$350	6th	\$470
3d	\$375	7th	\$495
4th	\$410	8th	\$495

Kelley Drye & Warren (378)

usa it	ork.		
1st	\$295	5th	\$410
2d	\$320	6th	\$430
3d	\$345	7th	\$455
4th	\$390	8th	\$480

Atlant	a a	(400)	
1st	\$240	5th	\$305
2d	\$250	6th	\$320
3d	\$270	7th	\$340
4th	\$285	8th	\$360

Irvine, Calif.

\$245

5775

\$250

34

	4.4.		4.15
Lewis,	Rice & Fingersh	(164) St.	Louis
lst	\$160	5th	\$270
2d	\$190	6th	\$285
3d	\$225	7th	\$298

4th

Locke Lord Bissell & Liddell (707) Dallas

1st	\$225	5th	\$285
2d	\$250	6th	\$290
3d	\$260	7th	\$295
4th	\$275	8th	\$300

Inch & Inch (SIR) New York

lst	\$300-\$325	5th	\$425-\$450
2d	\$325-\$360	6th	\$450-\$475
3d	\$360-\$400	7th	\$475-\$500
4th	\$400-\$425		

manai	e, ruespo ec ru	muhe (and)	DESCRIPTION OF
1st	\$290	5th	\$440
2d	\$325	6th	\$460
3d	\$365	7th	\$485
4th	\$410	8th	\$505

McElroy, Deutsch, Mulvaney & Carpenter (232)

morris	stown, r.J.		
1st	\$135	5th	\$180
2d	\$165	6th	\$185
3d	\$170	7th	\$190
4th	\$175		

MCKee	Neison (ZUZ) New	<i>t</i> tork	
1st	\$395	5th	\$555
2d	\$415	6th	\$585
3d	\$480	7th	\$615-\$623
4th	\$505-\$525	8th	\$630

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Firms report using alternatives to billable hour

Below is a listing of the law firms that provided information about the alterna-tive billing methods that they use most

We asked firms to differentiate between variations on the traditional billable hour (discounted and blended hourly rates, for example) and true alternatives to the billable hour (such as fixed or flat fees, contingency fees, hybrid fees and retrospective fees based on

The percentages given below denote the estimated portions of the firms' revenues obtained through each of these two categories.

The percentages are followed by the billing methods that the firms reported using within the two categories. The number given after each firm's name indicates its total number of attorneys.

The firms provided the information in response to The National Law Journal's 2008 survey of the nation's 250 largest law firms. This list includes firms that were not among the NLJ 250.

Akerman Senterfitt (484). Variations: 90%-discounted rate, blended rate. Alternatives: 10%-fixed or flat fee, contingency fee, hybrid fee.

Andrews Kurth (407). Variations: 15%discounted rate, blended rate, other, Alternatives: 15%-fixed or flat fee, contin-

gency fee, hybrid fee, other.
Armstrong Teasdale (252). Variations: 14%-discounted rate, blended rate, other. Alternatives: 14%-fixed or flat fee. contingency fee, retrospective fee based on value.

Baker, Donelson, Searman, Caldwell & Berkowitz (549). Variations: 50%-discounted rate, blended rate. Alternatives: 10%-fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on

C

Best Best & Krieger (198). Variations: 5%-blended rate. Alternatives: 5%fixed or flat fee, contingency fee, hybrid fee, other.

Bond, Schoeneck & King (189). Variations: 4%-discounted rate, blended rate. Alternatives: 5%-fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on value.

Bradley Arant Rose & White (255). Variations: 25%-discounted rate, blended rate, other. Alternatives: 20% flat fee, contingency fee, hybrid fee, retrospective fee based on value, other.

Brownstein Hyatt Farber Schreck (235). Variations: 15%-discounted rate, blended rate. Alternatives: 20%-fixed or flat fee, contingency fee, other.

Burr & Forman (208). Variations: 35% discounted rate, blended rate. Alternatives: 6%-fixed or flat fee, contingency fee, hybrid fee.

Butzel Long (243). Variations: 10%-discounted rate, blended rate. Alternatives: 10%-fixed or flat fee, contingency fee. hybrid fee, retrospective fee based on

Curtis, Mallet-Prevost, Colt & Mosle (235). Variations: 10%-discounted rate, blended rate. Alternatives: 5%-fixed or flat fee, contingency fee, hybrid fee.

Day Pitney (405). Variations: 83%-discounted rate, blended rate. Alternatives: 17%-fixed or flat fee, contingency fee, hybrid fee, other.

Dorsey & Whitney (670). Variations: 5%discounted rate, blended rate. Alternatives: 5%-fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on value.

Edwards Angell Palmer & Dodge (576), Variations: 10%-discounted rate, blended rate. Alternatives: 3%-fixed or flat fee, hybrid fee.

Gardere Wynne Sewell (281). Variations: 5%-discounted rate, blended rate, other. Alternatives: 18%-fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on value

Gibbons (230). Variations: 30%-discounted rate, blended rate. Alternatives: 1%-fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on

value. Hodgson Russ (227). Variations: 25% discounted rate, blended rate. Alternatives: 5%-fixed or flat fee, contingency fee, hybrid fee, retrospective fee based

Holland & Hart (406). Variations: 28%discounted rate, blended rate. Alternatives: 33%-fixed or flat fee, contingency fee, hybrid fee.

Holme Roberts & Owen (228). Variations: 15%-discounted rate, blended rate. Alternatives: 15%-fixed or flat fee, contingency fee, hybrid fee

Honigman Miller Schwartz and Cohn (234). Variations: 3%—discounted rate, blended rate. Alternatives: 1%-fixed or flat fee, contingency fee, hybrid fee

Husch Blackwell Sanders (629). Variations: 98%—discounted rate, blended rate, Alternatives: 2%-fixed or flat fee, hybrid fee, contingency fee.

Jackson Lewis (517). Variations: 20% discounted rate, blended rate. Alternatives: 20%-fixed or flat fee, hybrid

Jenner & Block (482). Variations: 49%discounted rate, blended rate, other. Alternatives: 11%-fixed or flat fee, contingency fee, hybrid fee.

Jones, Walker, Waschter, Poitevent, Carrère & Denègre (264). Variations: 25%—discounted rate, blended rate, other, Alternatives: 1%-fixed or flat fee, contingency fee, hybrid fee

Kilpatrick Stockton (466). Variations: 3%-discounted rate, blended rate. Alternatives: 3%-fixed or flat fee, contingency fee, hybrid fee, retrospective fee

Knobbe, Martens, Olson & Bear (249). Variations: 15%-discounted rate. Alternatives: 15%-fixed or flat fee, contingency

Lane Powell (170). Variations: 45%-discounted rate, blended rate. Alternatives: 3%-fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on

Leonard, Street and Deinard (189). Variations: 5%-blended rate. Alternatives: 5%-fixed or flat fee, contingency fee. hybrid fee, retrospective fee based on value, other,

Lewis, Rice & Fingersh (164), Variations: 35%-discounted rate, blended rate, Alternatives: 35%-fixed or flat fee, contingency fee, hybrid fee.

Locke Lord Bissell & Liddell (707). Variations: 80%-discounted rate, blended rate. Alternatives: 20%-fixed or flat fee. contingency fee.

Loeb & Loeb (310). Variations: 20%-discounted rate, blended rate. Alternatives: 15%-fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on

Luce, Forward, Hamilton & Scripps (187). Variations: 10%-discounted rate, blended rate, other. Alternatives: 5%-fixed or flat fee, contingency fee, hybrid fee.

Marshall, Dennehey, Warner, Coleman & Goggin (408). Variations: 20%-discounted rate, blended rate. Alternatives: 12%fixed or flat fee, contingency fee, hybrid

McElroy, Deutsch, Mulvaney & Carpenter (232). Variations: 5%-discounted rate, blended rate. Alternatives: 12%-fixed or

flat fee, contingency fee.

McGuireWoods (880). Variations: 80% discounted rate, blended rate, other Alternatives: 20%-fixed or flat fee, contingency fee, hybrid fee, other.

McKenna Long & Aldridge (435). Variations:

Hourly billing rates from junior to senior associates

	ASSO	CLATE' FROM	PAGE S	55	Quarie	s & Brady (450)			Sedev	vick, Detert, N	foran & Arn	nld (280)	Tham	pson Hine (39)	9) Mr	
	montgo	omery, McCrack	en, Walke	ar & Rhoads (151)	Milwau	ikec			San F	rancisco	wordin to Mi in	uid (300)				
	Philade				1st	\$204	5th	\$259	1st	\$220*	4th	\$232	1st	\$200	5th	\$250
	1st	\$210	5th	\$275	2d	\$220	6th	\$271	2d	\$224	5th		2d	\$215	6th	\$265
	2d	\$220	6th	\$295	3d	\$236	7th	\$289	3d	\$234		\$237	3d	\$215	7th	\$265
	3d	\$240	7th	\$320	4th	\$247	8th	\$302			6th	\$240	4th	S225	8th	\$285
	4th	\$260	8th	\$340		W. W. V.	1,7 105 2	3.002	1.922	25 in New Yo	ork)					
~					Robins	on & Cole (215)			Chann	M				pson & Knight	(458)	
>	Nixon P	eabody (699) Bo	oston			rd, Conn.			Ottepp	ard, Mullin, Ri	cnter & Han	npton	Dallas			
	1st	\$297	5th	\$409	1st	\$220	5th	\$265	(458)				1st	\$250	5th	\$365
	2d	\$324	6th	\$433	2d	\$230	6th	\$280	Los An				2d	\$280	6th	\$385
	3d	\$353	7th	\$450	3d	\$240	7th	\$295	181	\$275	5th	\$390	3d	\$315	7th	\$405
	4th	\$382	Sth	\$463	4th	\$250			2d	\$310	6th	5415	4th	\$345	8th	\$420
				4.700	4111	3430	8th	\$310	3d	\$335	7th	\$435				
	Patton	Boggs* (529)			Destron :	& Tucker (140)			4th	\$365	8th	\$455	Vedde	r Price (265)		
CI4	Washing					Mesa, Calif.							Chicag			
	lst	\$275	5th	\$385	1st	\$230		40.00		iker, Loop & Ke	endrick (180)	1sı	\$235	5th	\$305
	2d	\$300	6th	\$405	2d	\$230 \$245	5th	\$305	Toledo				2d	\$250	6th	\$325
	3d	\$325	7th	\$430			6th	\$325	1st	\$195			3d	\$270	7th	\$340
	4th	\$350	8th	\$455	3d	\$260	7th	\$350	2d	\$200			4th	\$290	8th	\$360
		s given are fo	e that W.	3400	4th	\$285							1011	Q2 70	oui	3200
	office.)	i Saven and to	t tite vvi	asningion					Stepto	e & Johnson L	LP (506)		White .	& Case (2,205	s.	
						ring (231)			Washin				New Yo		,	
	Perkins	Coie (632)			Philade				1st	\$275	5th	\$425	1st	\$365	5th	cina
	Seattle	0010 (002)			1st	\$215-\$230	5th	\$255	2d	\$315	6th	\$445	2d	\$460		\$620
	1st	\$263	~.3	that a co	2d	\$205-\$260	6th	\$240-\$280	3d	\$355	7th	\$465	3d		6th	\$635
	2d	\$203 \$276	5th	\$320	3d	\$215-\$235	7th	\$270-\$320	4th	\$395	8th	\$480	4th	\$550	7th	\$655
3	3d		6th	\$340	4th	\$225-\$245	8th	\$260-\$300		4070	(341)	P400	410	\$600	8th	\$665
	4th	\$284	7th	\$380					Stento	e & Johnson P	110 (199)		1862	1.000		
*	4111	\$316			Schulte	Roth & Zabel (48	31)			ourg, W.Va.	LLU (192)			ad (281)		
	PH-(917	tookle /www.			New Yor	rk .			1st	\$170			Dallas			
		Lytie (179)			1st	\$365*	5th	\$530	1.01	4210			lst	\$215	5th	\$310
	Buffalo,		9.0		2d	\$420	6th	\$550	Sulliva	å Worcester	(100)		2d	\$230	6th	\$325
	lst	\$160	5th	\$200	3d	\$470	7th	\$570	Boston	a wornester	(IGZ)		3d	\$260	7th	\$335
	2d	\$170	6th	\$205	4th	\$510	8th	\$585		cara	4.1		4th	\$285	8th	\$345
>	3d	\$180	7th	\$220	(*\$255	for the associ	ato'e fir	est form	1st	\$270	4th	\$330		W//		
	4th	\$185	8th	\$230	months	d and asserts	ure a III	or ioni	2d	\$285	5th	\$350	These	data are	available	in electronic
					**********	",			3d	\$310			forma	t at almrese	archopline	com EM

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30%—discounted rate, blended rate. Alternatives: 30%—fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on value.

Michael Best & Friedrich (229). Variations: 10%—discounted rate, blended rate. Alternatives: 12%—fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on value.

Miller & Martin (198). Variations 5%—blended rate. Alternatives: 10%—contingency fee, other.

Nixon Peabody (699). Variations: 70%—discounted rate, blended rate, other. Alternatives: 10%—fixed or flat fee, contingency fee, hybrid fee, other.

Ogietree, Deakins, Nash, Smoak & Stewart (428). Variations: 92%—discounted rate. blended rate. Alternatives: 5.6%—fixed or flat fee, contingency fee, hybrid fee.

Patton Boggs (529). Variations: 15%—discounted rate. Alternatives: 6.5%—fixed or flat fee, contingency fee.

Pepper Hamilton (514). Variations: 5%—discounted rate, blended rate. Alternatives: 2%—fixed or flat fee, contingency fee.

Phelps Dunbar (258). Variations: 8%—discounted rate, blended rate. Alternatives: 8%—fixed or flat fee, contingency fee.

Phillips Lytle (179). Variations: 90%—discounted rate, blended rate. Alternatives: 10%—fixed or flat fee, contingency fee, hybrid fee.

Poisinelli Shalton Flanigan Suelthaus (304). Variations: 10%—discounted rate, blended rate. Alternatives: 10%—fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on value, other.

Reed Smith (1,558°). Variations: 18%—discounted rate, blended rate, other. Alternatives: 5.8%—fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on value, other.

(*National Association for Law Placement figure. After the deadline for reporting data for the NLJ 250, the firm reported that its attorney count was 1.505.)

Saul Ewing (231). Variations: 57%—discounted rate, blended rate, other. Alternatives: 10%—fixed or flat fee, contingency fee, hybrid fee.

Schnader Harrison Segal & Lewis (189). Variations 4.8%—discounted rate, blended rate. Alternatives: 1.7%—fixed or flat fee, contingency fee.

fee, contingency fee.
Schulte Roth & Zabel (481). Variations:
5%—discounted rate. Alternatives: 5%—fixed or flat fee.

Sedgwick, Detert, Moran & Arnold (380). Variations: 64%—discounted rate, blended rate. Alternatives: 0.8%—fixed or flat fee.

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adam anderson—associate. Beus Gilbert, Scottsdale, Ariz.

TRACEY I. BATT—New Jersey Volunteer Lawyers for the Arts

STEVEN C. BENNETT—partner, Jones Day, New York

SCOTT K. BROWN—Lewis and Roca, Phoenix

william a. Chamberlain—associate dean, Northwestern School of Law

THE DISASSOCIATE—associate (anonymous), large law firm

AMY J. MCMASTER—associate, Venable, Washington

ELLISEN S. TURNER—associate, Irell & Manella, Los Angeles

Sheppard, Mullin, Richter & Hampton (458). Variations: 3%—discounted rate, blended rate, other. Alternatives: 2%—fixed or flat fee, contingency fee, hybrid fee.

flat fee, contingency fee, hybrid fee.

Shughart Thomson & Kiloy (179). Variations: 27%—discounted rate, blended rate. Alternatives: 15%—fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on value.

Shumaker, Loop & Kendrick (180). Variations: 10%—discounted rate, blended rate. Alternatives: 5%—fixed or flat fee, contingency fee, hybrid fee.

Shutts & Bowen (203). Variations: 2%—discounted rate, blended rate. Alternatives: 1%—fixed or flat fee, contingency fee.

Smith, Gambrell & Russell (181). Variations: 10%—discounted rate, blended rate. Alternatives: 10%—fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on value.

Snell & Wilmer (440). Variations: 20%—discounted rate, blended rate. Alternatives: 20%—fixed or flat fee, contingency fee, hybrid fee.

Stevens & Lee (193). Variations: 20%—discounted rate, blended rate. Alternatives: 22%—fixed or flat fee, contingency fee, hybrid fee, retrospective fee based on value, other.

Strasburger & Price (194). Variations: 85%—discounted rate, blended rate. Alternatives: 15%—fixed or flat fee, contingency fee, hybrid fee.

Sullivan & Worcester (182). Variations: 10%—discounted rate, blended rate, other. Alternatives: 2%—fixed or flat fee, contingency fee, hybrid fee.

Thompson & Knight (458). Variations: 30%—discounted rate, blended rate. Alternatives: 3%—fixed or flat fee, contingency fee.

Troutman Sanders (683). Variations:

20%—discounted rate, blended rate. Alternatives: 10%—fixed or flat fee, contingency fee, hybrid fee.

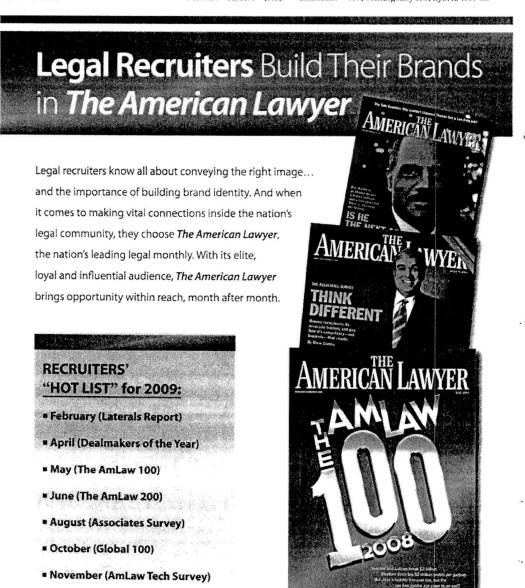
Ulmer Berne (176). Variations: 40%—discounted rate, blended rate. Alternatives: 5%—fixed or flat fee, contingency fee, hybrid fee.

Vedder Price (265). Variations: 10%—Discounted rate. Alternatives: 5%—fixed or flat fee.

Wiley Rein (262). Variations: 20%—discounted rate, blended rate. Alternatives: 5%—fixed or flat fee, contingency fee, hybrid fee,

Winstead (281). Variations: 3%—discounted rate, blended rate. Alternatives: 3%—fixed or flat fee, contingency fee, hybrid fee.

Womble Carlyle Sandridge & Rice (505). Variations: 25%—discounted rate, blended rate. Alternatives: 5%—fixed or flat fee, contingency fee, hybrid fee.



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